

# Order

Michigan Supreme Court  
Lansing, Michigan

September 29, 2010

Marilyn Kelly,  
Chief Justice

141178

Michael F. Cavanagh  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway  
Alton Thomas Davis,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 141178  
COA: 297169  
Livingston CC: 07-016576-FH

MICHAEL ANDREW JOHANSON,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the May 14, 2010 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Livingston Circuit Court for correction of the judgment of sentence, which places the defendant in the custody of the Department of Corrections for the misdemeanor offenses of possessing marijuana and obscene conduct. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 29, 2010

*Corbin R. Davis*

Clerk